IN THE SUPREME COURT OF THE STATE OF DELAWARE

MSP EQUIPMENT RENTAL, INC., § No. 351, 2015

§

Plaintiff-Below, Appellant, Court Below:

Superior Court v.

of the State of Delaware

GAVILON GRAIN, LLC d/b/a

PEAVY GRAIN,

C.A. No. N14C-08-033

Defendant-Below, Appellee.

Submitted: February 17, 2016 Decided: February 18, 2016

Before STRINE, Chief Justice; HOLLAND and VALIHURA, Justices.

<u>ORDER</u>

This 18th day of February 2016, the Court, having considered this matter on the briefs of the parties, has concluded that the same should be affirmed on the basis of and for the reasons assigned by the Superior Court in its Order of June 9, 2015.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

<u>/s/ Karen L. Valihura</u> Justice